

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHENZHENSHI HAITIECHENG
SCIENCE AND TECHNOLOGY CO.,
LTD., ET AL.,

Plaintiffs,

v.

REARDEN LLC, et al.,

Defendants.

Case No. 15-cv-00797-JST

**ORDER RE NOTICE OF PENDENCY
OF OTHER ACTION INVOLVING
SAME PATENT AND
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED**

Re: ECF Nos. 408, 409

On July 17, 2017, Defendants Rearden LLC and Rearden Mova LLC filed both a Notice of Pendency of Other Action Involving Same Patent pursuant to Patent Local Rule 2-1(a), ECF No. 408, and an Administrative Motion to Consider Whether Cases Should Be Related pursuant to Civil Local Rule 3-12(b), ECF No. 409. Both documents pertain to Rearden LLC, et al. v. The Walt Disney Company, et al., Case No. 17-cv-4006, which has been assigned to Judge Seeborg.

Civil Local Rule 3-12(b) provides in relevant part, “In addition to complying with Civil L.R. 7-11, a copy of the motion, together with proof of service pursuant to Civil L.R. 5-5, must be served on all known parties to each apparently related action.” It does not appear that Defendants have complied with this requirement.

The Court will not consider the Motion to Relate until all known parties have been served as required by Rule 3-12(b), and a proof of service has been filed. If Defendants serve the Motion to Relate on the parties to Case No. 17-cv-4006, they must also serve a copy of the Summons and Complaint, as well as a copy of this Order.

The Court also believes that it should withhold action on the Notice of Pendency of Other Action until the time for opposition to the Motion to Relate has passed and the Court has

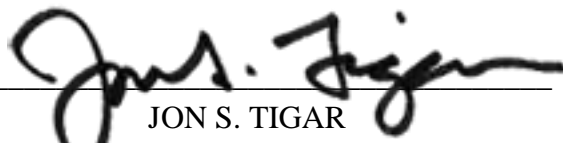
1 considered any response to that motion that is filed. Given that the other parties in Case No. 17-
2 cv-4006 have yet to appear, the deadline to respond to the Motion to Relate shall be 14 calendar
3 days from the date of service of the Motion to Relate on the parties to Case No. 17-cv-4006 (or, if
4 those parties are not served on the same day, from the date the last such party is served). The
5 same enlargement of time shall apply to the Plaintiffs in the instant action.

6 Consistent with the foregoing, the Clerk of the Court is directed not to reassign Case No.
7 17-cv-4006 to the undersigned pending further order of the Court, notwithstanding the provisions
8 of Patent Local Rule 2-1.

9 The Clerk is directed to file a copy of this order on the docket of Case No. 17-cv-4006.

10 IT IS SO ORDERED.

11 Dated: July 20, 2017

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13 JON S. TIGAR
14 United States District Judge
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